

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**SHAMEKA MILLER**

**PLAINTIFF**

**V.**

**CAUSE NO. 3:20-CV-516-CWR-LGI**

**ERICA B.; ROBERT UNKNOWN; &  
KRYSTALS COMPANY**

**DEFENDANTS**

**ORDER**

Before the Court is the Magistrate Judge's Report and Recommendations (R&R). Docket No. 13. The R&R described the plaintiff's failure to timely serve the defendants with a copy of the summons and complaint. *Id.* It then concluded:

While Plaintiff has had more than a reasonable amount of time to serve process, in the interests of justice, the Court will allow Plaintiff one final opportunity to serve process on each Defendant. The Court therefore orders Plaintiff to accomplish valid service of process upon Erica B. and Krystal Company and to file proof of valid service on or before June 30, 2021. No additional extensions of the service deadline will be allowed absent extraordinary circumstances. Should Plaintiff fail to accomplish valid service of process and file proof of valid service by June 30, 2021, the undersigned recommends that Defendant Erica B. and Defendant Krystal Company be dismissed without prejudice.

*Id.* at 3.

In response, the plaintiff filed several motions attempting to have summons reissued and to add defendants to the case.<sup>1</sup> Docket Nos. 17-18. But the plaintiff did not accomplish service of process upon any of the defendants, existing or new, by the Court-mandated deadline. Nor did the plaintiff attempt to establish extraordinary circumstances for an additional extension. The result is a nearly year-long failure to properly serve any of the defendants. *See* Fed. R. Civ. P. 4(m).

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<sup>1</sup> The plaintiff's motion to change name, Docket No. 16, is granted.

Because the plaintiff failed to serve any of the defendants by June 30, 2021, the R&R is adopted as this Court's own Order and this case is dismissed without prejudice. A separate Final Judgment shall issue.

**SO ORDERED**, this the 2nd day of August, 2021.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE